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**TITLE 50 DEPARTMENT OF LOCAL GOVERNMENT FINANCE**

**Final Rule**  
LSA Document #12-552(F)

**DIGEST**

Amends [50 IAC 9-2-5](#) concerning public notices of adoption of library capital projects fund plans. Effective 30 days after filing with the Publisher.

**[50 IAC 9-2-5](#)**

SECTION 1. [50 IAC 9-2-5](#) IS AMENDED TO READ AS FOLLOWS:

**[50 IAC 9-2-5](#) Submission to appropriate fiscal body**

**Authority:** [IC 36-12-12-12](#)

**Affected:** [IC 5-3-1-2](#); [IC 36-12-12-4](#); [IC 36-12-12-5](#)

Sec. 5. (a) Within ten (10) days of adopting a resolution for a capital projects fund plan, the board shall transmit a certified copy of the plan to the appropriate fiscal body.

(b) The appropriate fiscal body shall hold a public hearing on the plan within thirty (30) days of receiving it. The appropriate fiscal body may either approve or reject the plan by August 1 of the year in which it is received.

(c) If the appropriate fiscal body rejects the plan, it may return the plan to the board with its reasons for rejection.

(d) If the appropriate fiscal body approves the plan, the board shall submit the resolution, plan, and proof of publication to the department of local government finance.

~~(e) The department of local government finance shall require notice of the submission to be given to the taxpayers if the plan:~~

~~(1) was published in accordance with section 3 of this rule;~~

~~(2) was adopted by the library board and approved by the appropriate fiscal body or bodies; and~~

~~(3) conforms to the format and includes the information prescribed in section 4 of this rule.~~

~~(f) If approved by the department of local government finance under subsection (e), the library board shall give notice to the taxpayers of the district. The board shall give at least one (1) notice in accordance with [IC 5-3-1-2](#)(b) and the state board of accounts "Guide to Publication of Legal Notices".~~

**(e) If the appropriate fiscal body approves the plan, the board shall also publish notice of adoption in accordance with [IC 5-3-1-2](#)(i). Notice of adoption must be published one (1) time in the appropriate newspaper or newspapers within thirty (30) days after the date of the appropriate fiscal body's approval of the plan.**

*(Department of Local Government Finance; [50 IAC 9-2-5](#); filed Sep 21, 1990, 3:30 p.m.: 14 IR 256; errata filed Oct 25, 2006, 10:52 a.m.: [20061108-IR-050060502ACA](#); filed Jan 30, 2013, 12:30 p.m.: [20130227-IR-050120552FRA](#))*

LSA Document #12-552(F)

Notice of Intent: [20121003-IR-050120552NIA](#)

Proposed Rule: [20121128-IR-050120552PRA](#)

Hearing Held: December 20, 2012

Approved by Attorney General: January 8, 2013

Approved by Governor: Deemed approved by the Governor without signature under [IC 4-22-2-34](#) on January 24, 2013

*Filed with Publisher: January 30, 2013, 12:30 p.m.*

*Documents Incorporated by Reference: None Received by Publisher*

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